

**Introduced by Senator Murray**

January 8, 2004

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An act to add Section 56158 to the Education Code, relating to special education.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1094, as introduced, Murray. Special education: foster children.

Existing law makes each school district, special education local plan area, or county office of education responsible for providing appropriate education to individuals with exceptional needs residing in a licensed children's institution or foster family home located in the geographical area covered by the local plan. Existing law requires the district, special education local plan area, or county office, in providing appropriate programs, to first consider services in programs operated by a public education agency. Under existing law, if those programs are not appropriate, special education and related services are required to be provided by contract with a nonpublic, nonsectarian school.

This bill would require a nonpublic, nonsectarian school that provides special education and related services to an individual with exceptional needs residing in a licensed children's institution or foster family home to comply with all applicable curriculum and facility requirements imposed on a public school in educating an individual with exceptional needs. The bill would also require the school to require its teachers to hold special education teaching credentials for the subjects they teach.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.



*The people of the State of California do enact as follows:*

1     SECTION 1.   Section 56158 is added to the Education Code,  
2   to read:  
3     56158.   A nonpublic, nonsectarian school that provides  
4   special education and related services to an individual with  
5   exceptional needs residing in a licensed children's institution or  
6   foster family home shall comply with all applicable curriculum  
7   and facility requirements imposed on a public school in educating  
8   an individual with exceptional needs. The school shall also require  
9   its teachers to hold special education teaching credentials for the  
10  subjects they teach.

